

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MANUEL HERNANDEZ,

Plaintiff,

v.

CYNTHIA LINK, *et al.*,

Defendants.

CIVIL ACTION
NO. 18-02912

ORDER

AND NOW, this 26th day of February, 2019, upon consideration of Defendants' Motions to Dismiss, (ECF Nos. 12 and 21), Plaintiff's Responses, (ECF Nos. 24 and 25), and Defendants' Replies, (ECF Nos. 26 and 27) it is hereby **ORDERED** that the Motions are **GRANTED**. Specifically:

1. Claims alleging deliberate indifference to a serious medical need in violation of the Eighth Amendment against all Defendants are **DISMISSED without prejudice**;
2. Claims alleging a substantive due process violation against all Defendants are **DISMISSED with prejudice**;
3. Claims alleging medical malpractice, negligence and gross negligence against Weiner and Correct Care Solutions, LLC are **DISMISSED without prejudice**.
4. Claims alleging medical malpractice, negligence and gross negligence against Link and Korszniak are **DISMISSED with prejudice**;
5. Claims brought against Link and Korszniak in their official capacities are **DISMISSED with prejudice**;

6. Plaintiff may file an Amended Complaint, consistent with this Order and the attached Memorandum on or before **March 29, 2019**.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.